GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA

UNSTARRED QUESTION NO:1400
ANSWERED ON:03.05.2016
Statutory Status to NCBC
Kumar Shri Kaushalendra

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether the Government proposes to grant statutory status to the National Commission for Backward Classes (NCBC);

(b) if so, the details thereof and if not, the reasons therefor; and

(c) the existing rights/powers of the National Commission for Backward Classes?

Answer

MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT
(SHRI KRISHAN PAL GURJAR)

(a) & (b): The National Commission for Backward Classes (NCBC) is a Statutory body constituted on 2nd April, 1993 under the NCBC Act, 1993 (27 of 1993).

(c): Under Section 9 of the NCBC Act the Commission has power to examine requests for inclusion of any class of citizens as a backward class in the lists and hear complaints of over-inclusion or under-inclusion of any backward class in such lists and tender such advice to the Central Government as it deems appropriate. The advice of the Commission shall ordinarily be binding upon the Central Government.

NCBC has been further empowered in the year 2011 to review its advices tendered to the Government, under sub-section (1) of Section 9.
Under Section10 of the NCBC Act, the Commission, performing its functions under sub-section (1) of section 9, has all the powers of a civil court trying a suit and in particular, in respect of the following matters, namely:-

(a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;
(b) requiring the discovery and production of any document;
(c) receiving evidence on affidavits;
(d) requisitioning any public record or copy thereof from any court of office;
(e) issuing commissions for the examination of witnesses and documents; and
(f) any other matter which may be prescribed.